

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

RUDY JAQUEZ,)	
)	
Petitioner,)	
vs.)	NO. CIV-18-1166-HE
)	
OKLAHOMA COUNTY and)	
OKLAHOMA COUNTY SHERIFF)	
DEPARTMENT,)	
)	
Respondents.)	

ORDER

Petitioner Rudy Jaquez, proceeding *pro se*, brought this action seeking a writ of habeas corpus. He alleges that he is awaiting trial and cannot get a full and fair hearing. As relief, petitioner seeks a “full and fair hearing under Brady vs. Maryland, tords exculpatory evidence.” Doc. 1 at 2. On January 14, 2019, U.S. Magistrate Judge Suzanne Mitchell issued a Report and Recommendation recommending, consistent with the Younger¹ abstention doctrine, dismissal without prejudice of petitioner’s action and denial of his pending motions as moot. Petitioner was advised of his right to object to the Report and Recommendation by February 4, 2019. No objection has been filed. Petitioner has therefore waived his right to appellate review of the factual and legal issues addressed in the report. Cassanova v. Ulibarri, 595 F.3d 1120, 1123 (10th Cir. 2010).

¹ Younger v. Harris, 401 U.S. 37 (1971).

Accordingly, the Court **ADOPTS** the Report and Recommendation [Doc. #23], **DISMISSES** this action without prejudice, and **DENIES** petitioner's pending motions [Docs. #7, 16, 17, 18, 19, and 24] as **MOOT**.

IT IS SO ORDERED.

Dated this 13th day of February, 2019.



JOE HEATON
CHIEF U.S. DISTRICT JUDGE